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08/19/03

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22388 U.S. PRO
10/643221
08/19/03

Date: August 19, 2003

Docket No.: 2870-0264P

MS PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a continuation divisional
 continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/695,864 filed on October 26,
2000, the entire contents of which are hereby incorporated by
reference,
by

Yasuhiro YOSHIOKA and Makoto SUZUKI

for

PHOTOTHERMOGRAPHIC MATERIAL

1. Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. The filing fee has been calculated as follows:



Docket No. 2870-0264P

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$750.00		\$375.00	
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE	
TOTAL CLAIMS	19-20 =	0	x 18 = \$0.00	x 9 = \$0.00	
INDEPENDENT CLAIMS	1-3 =	0	x 84 = \$0.00	x 42 = \$0.00	
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00	
		TOTAL	\$0.00	\$0.00	

3. A check in the amount of \$1,030.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Enclosed is/are two (2) sheet(s) of formal drawings and/or photographs.
- 6a. A statement claiming small entity status was filed in prior Application No. 09/695,864 on _____. See the attached copy of the statement claiming small entity status.
- 6b. The current application qualifies for small entity status.
7. The prior application is assigned to Fuji Photo Film Co., Ltd. .
8. A Preliminary Amendment is enclosed.
- 9a. Priority of Application No(s). 304347/1999 and 20744/2000 filed in Japan on October 26, 1999 and January 28, 2000 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on October 26, 2000.
- 9b. Priority of International Appln. ____ filed on ____ under the Patent Cooperation Treaty and ____

Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or

Customer No. 02292

12. An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/695,864 in order to establish co-pendency with the present application.

13. Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Mark S. Weiner (Dove, 069)
Marc S. Weiner, #32,181

MSW/TBS/bsh
2870-0264P

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Attachment(s)

(Rev. 07/303)